

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

- Claim 1 (canceled)
- Claim 2 (canceled)
- Claim 3 (canceled)
- Claim 4 (canceled)
- Claim 5 (canceled)
- Claim 6 (canceled)
- Claim 7 (canceled)
- Claim 8 (canceled)
- Claim 9 (canceled)
- Claim 10 (canceled)
- Claim 11 (canceled)
- Claim 12 (canceled)
- Claim 13 (canceled)
- Claim 14 (canceled)
- Claim 15 (canceled)
- Claim 16 (canceled)
- Claim 17 (canceled)
- Claim 18 (canceled)

al
cmt

Claim 19 (new) A mobile wireless computer input device to interact with a computer comprising in combination a pen-shaped housing, means for attachment to a user (clip), audio activation means, means to transmit audio instructions via a wireless transmitter to said computer, and means for controlling power generated in said computer via said audio activation means, said audio activation means comprising a microphone and audio processing circuitry, said clip having a dual function as user attachment means and as an antenna for said wireless transmitter, said pen-shaped housing containing at least one removable functional module.

al
cmt
Claim 20 (new) The input device of claim 19 wherein said wireless transmitter has means to communicate with said computer, said computer having a wireless receiver to cooperate with and receive audio instructions from said wireless transmitter.

Claim 21 (new) The device of claim 19 wherein said wireless transmitter is a Bluetooth transmitter communicating with a Bluetooth module in a separate electronic device.

Claim 22 (new) The device of claim 19 wherein said functional module is a module selected from the group consisting of an ink pen module, a lead pencil module, a laser pointer module, and a roller ball type mouse module.

Claim 23 (new) The input device of claim 19 having means to control both the power and heat in said computer via said audio activation means and said wireless transmitter.

Claim 24 (new) A system comprising the input device of claim 19, wherein said input device and wireless transmitter has means to communicate audio instructions and commands to said computer, said computer containing a recognizing means to receive said audio commands and means for converting said audio commands into electrical signals to thereby control power and heat generated in said computer, said computer having means to convey said instructions to a processor and other components in said computer.

Claim 25 (new) The system of claim 24 wherein said audio processing circuitry includes an analog to digital converter.

*AI
meta*
Claim 26 (new) The system of claim 24 wherein said audio processing circuitry further includes a digital signal processor.

Claim 27 (new) The system of claim 24 wherein said audio processing circuitry includes a command buffer memory.

Claim 28 (new) The system of claim 24 wherein said audio commands are voice commands sent via said microphone and said wireless transmitter from said input device to said computer.

Cancel claims 1-18 without prejudice.

Claims presently in the application – claims 19-28.

Status of the Claims

Claims 1-18 are herewith canceled.

Claims 19-28 are pending as new claims.

Rejections Under 35 USC 103(a)

1&2. Claims 1, 5, 14 and 18 have been rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,486,875 (O'Donnell).

Claims 1-18 have been canceled and new claims 19-28 clearly avoid the teachings of O'Donnell.

New claims 19-28 require a wireless computer input device and a system comprising said device that has means to control the power generated in the computer communicated with. This is essential to the device and system of this invention. On page 2 of the present specification, Applicant clearly states that this application is a CIP of U.S. patent application 09/461,870 entitled "Mobile Computer with Audio Interrupt System" (now U.S. Patent 6,532,482) which is a CIP of 09/160,849 (now U.S. Patent 6,301,593) also entitled "Mobile Computer with Audio Interrupt System". Applicant also states "both of which are hereby incorporated by reference into the present disclosure".

Both of these patents which are commonly owned with the present application fully disclose using audio commands to control the power and heat generated in a computer. O'Donnell does not provide for speech-based control of the power generated in a computer including powering down a computer. Applicant also clearly describes on page 8 lines 3-10 the use of the presently claimed device to "powering the computer on and off, logging into the computer, opening and closing programs and navigating through programs". Applicant is providing a novel input device to wirelessly control the power

generated in a computer. Nowhere does O'Donnell or any of the other cited art teach this concept. This function is combined with some other features in the pen-shaped device.

3. Claims 3, 10-13 and 16 are rejected under 35 USC 103(a) as being unpatentable over O'Donnell in view of U.S. Patent 1,523,753 (Chen) in view of U.S. Patent 5,343,376 (Huang). Claims 3, 10-13 and 16 have been canceled herewith. New Claims 19-28 clearly read over these references. None of the O'Donnell, Chen or Huang references teach that a mobile input device can be used to power down a computer or to control the power generated in a computer as is presently claimed.

4. Claims 4 and 17 were rejected under 35 USC 103(a) as being unpatentable over the combination of O'Donnell and U.S. Patent 6,199,292 to Ebeling. Claims 4 and 7 have been canceled herewith and new claims 19-28 proposed. Claims 19-28 clearly define over O'Donnell and Ebeling alone or in combination. The concept of a wireless input device that could control and even power on or down a remotely located computer is not suggested by either reference. Applicant has clear basis for these new claims on page 2 and 8 of the specification.

5&6. Claims 2, 6 and 15 and claims 7-9 were rejected under 35 USC 103(a) as being unpatentable over O'Donnell in view of U.S. Patent 6,380,930 (Van Ruymbeke) and O'Donnell in view of U.S. Patent 5,777,571 (Chaung), respectively. Claims 1-18 have been canceled and new claims 19-28 clearly define over these references. None of the O'Donnell, Van Ruymbeke or Chaung references teach controlling the power generated

in a computer by audio means or by a computer input device that transmits audio signals to said remote computer.

7. The prior art U.S. 4,969,180 (Watterson et al.) made of record and not relied upon adds little to the applied references, therefore, a detailed discussion of Watterson et al. is not warranted.

Applicant trusts that with the submission of new claims 19-28 and the above distinctions that the application is now in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the present claims.

Respectfully submitted,



JAMES J. RALABATE
Reg. No. 19,211
Attorney for Applicant
5792 Main Street
Williamsville, NY 14221
(716) 634-2280

Date Mailed: April ~~27~~ 27, 2004
See Certificate of Express Mail attached hereto.